

Warren County Board of Supervisors

RESOLUTION NO. 360 OF 2013

Resolution introduced by Supervisors Monroe, Bentley, Loeb, Dickinson and McDevitt

**AUTHORIZING CONVEYANCE OF PROPERTY FROM THE
TOWN OF WARRENSBURG TO WARREN COUNTY FOR THE TOWN'S
MUNICIPAL WATER SYSTEM; AUTHORIZING AMENDMENT
EASEMENT AGREEMENT WITH THE TOWN OF WARRENSBURG
FOR THE TOWN'S MUNICIPAL WATER SYSTEM**

WHEREAS, the Director of Real Property Tax Services advises that the Town of Warrensburg will be purchasing a .634 acre parcel from Mark Brown and Janice Fallen, who are the current owners of Tax Map Parcel No. 198.-1-15 located in the Town of Warrensburg, which will be merged into Tax Map Parcel No. 198.-1-14, currently owned by the County of Warren, as a boundary line adjustment for purposes of establishing a "buffer zone" for the Town's Municipal Water System, and

WHEREAS, the County Attorney advises that the Town of Warrensburg has made jurisdictional inquiry to the Adirondack Park Agency ("APA") and that the APA is in agreement with the proposal but subject to certain restrictions imposed by the APA, and

WHEREAS, the County Attorney further advises that the Town of Warrensburg would construct a small water treatment facility on the .634 acre parcel, as well as install a generator, propane tank and necessary pipes subject to the following conditions:

- a) the Town of Warrensburg will provide Warren County with a title insurance policy insuring the .634 acre parcel to Warren County;
- b) the Town of Warrensburg will provide the necessary liability insurance certificates as deemed necessary by the County Attorney and will indemnify and hold harmless Warren County for any claims, lawsuits, losses and causes of action occurring on or related to the .634 acre parcel;
- c) the Warren County Superintendent of the Department of Public Works will review

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and approve all plans for the construction of the water treatment facility, placement of the generator, propane tanks and necessary pipes and access road;

- d) the Town of Warrensburg will be responsible for seeking the removal of the Adirondack Park Agency restrictions if the Town finds they no longer need the .634 acre parcel for the Town's Municipal Water System and at no cost to the County;
- e) the Town of Warrensburg will maintain the only access road to the .634 property at no cost to Warren County;

and

WHEREAS, the County Attorney is requesting that the Amended Easement Agreement dated August 7, 2012 between the Town of Warrensburg and Warren County be amended to include the .634 acre parcel for the purposes of allowing the Town rights to access, construct, use and maintain thereon a small water treatment facility, as well as a generator, propane tank and necessary pipes and access road for the Town's Municipal Water System, now, therefore, be it

RESOLVED, that Warren County hereby accepts the conveyance of the .634 acre parcel from the Town of Warrensburg and upon completion of the conveyance will allow the Town of Warrensburg to make the improvements on the .634 acre parcel as described in the preambles of this resolution, and be it further

RESOLVED, that Warren County hereby authorizes an amendment to the Easement Agreement between the Warren County and the Town of Warrensburg as described in the preambles of this resolution, and be it further

RESOLVED, that the Vice Chairman of the Board of Supervisors be, and hereby is, authorized to execute any and all necessary documents to carry out the terms of this resolution in a form approved by the County Attorney.